



**COUNTY OF SAN LUIS OBISPO  
DEPARTMENT OF PLANNING AND BUILDING  
STAFF REPORT**

**PLANNING COMMISSION**

*Promoting the wise use of land  
Helping build great communities*

<b>MEETING DATE</b> April 28, 2016	<b>CONTACT/PHONE</b> Jo Manson 781-4660/jmanson@co.slo.ca.us	<b>APPLICANT</b> Woodruff Investment Corporation	<b>FILE NO.</b> SUB2005-00010
<b>SUBJECT</b> A request for a <b>second time extension</b> by Woodruff Investment Corporation for Vesting Tentative Tract Map 2743 and Conditional Use Permit to subdivide an existing 24,975 square foot parcel into seven residential parcels ranging from 1,505 square feet to 2,396 square feet each and one open space parcel at 14,996 square feet for the purpose of sale and/or development. The project will result in the disturbance of the entire 24,975 square foot parcel. The division will require extending 9 <sup>th</sup> Street and James Street through the property. The proposed project is within the Commercial Retail land use category and is located on James Way, 200 feet south of 8 <sup>th</sup> Street, in the community of Templeton. The site is in the Salinas River Sub-area of the North County Planning Area.			
<b>RECOMMENDED ACTION</b> Approve the <b>second time extension request</b> for Vesting Tentative Tract Map 2743 and Conditional Use Permit.			
<b>ENVIRONMENTAL DETERMINATION</b> A Negative Declaration (pursuant to Public Resources Code Section 21000 et seq., and CA Code of Regulations Section 15000 et seq.) was adopted on June 26, 2003 for Conditional Use Permit (D010030D) for the project site. The Negative Declaration previously adopted on June 26, 2003 was deemed adequate and was relied on by the Planning Commission on February 23, 2006 when Vesting Tentative Tract Map 2743 and Conditional Use Permit were approved.			
<b>LAND USE CATEGORY</b> Commercial Retail	<b>COMBINING DESIGNATION</b> Central Business District	<b>ASSESSOR PARCEL NUMBER</b> 041-202-009	<b>SUPERVISOR DISTRICT(S)</b> 1
<b>PLANNING AREA STANDARDS:</b> Conditional Use Permit requirement for multi-family dwelling as a primary use / Fence and Wall Requirements / Templeton Community Design Plan			
<b>LAND USE ORDINANCE STANDARDS:</b> Ch. 22.10 – Development Standards (density); Ch. 22.18 – Parking; Sec. 22.22.145 – Planned Development			
<b>EXISTING USES:</b> Vacant			
<b>SURROUNDING LAND USE CATEGORIES AND USES:</b> North: Commercial Retail & Public Facility / American Legion Hall South: Commercial Retail / Multi-family residences East: Agriculture / Railroad West: Commercial Retail & Public Facilities / single family residence			
<b>OTHER AGENCY / ADVISORY GROUP INVOLVEMENT:</b> Vesting tentative tract map was originally referred to Templeton Area Advisory Group, Public Works, Environmental Health, Agricultural Commissioner, County Parks, Templeton Community Services District, Air Pollution Control District, City of Paso Robles, Regional Water Quality Control Board			
<b>TOPOGRAPHY:</b> Level		<b>VEGETATION:</b> Grasslands with scattered oaks	
<b>PROPOSED SERVICES:</b> Water supply: Community System Sewage Disposal: Community sewage disposal system Fire Protection: Templeton Community Services District		<b>ACCEPTANCE DATE:</b> N/A	
<small>ADDITIONAL INFORMATION MAY BE OBTAINED BY CONTACTING THE DEPARTMENT OF PLANNING &amp; BUILDING AT: COUNTY GOVERNMENT CENTER γ SAN LUIS OBISPO γ CALIFORNIA 93408 γ (805) 781-5600 γ FAX: (805) 781-1242</small>			

## TIME EXTENSION REQUEST/PROJECT DESCRIPTION

Vesting Tentative Tract Map 2743 and Conditional Use Permit were approved by the Planning Commission on February 23, 2006 and were set to expire on February 23, 2016. On February 18, 2016, the applicant requested the **second one year time extension and paid the extension application fee**. If a time extension request is submitted on or before the expiration date, it remains valid until acted on by the decision making body. (A time extension for a tentative map also extends the life of the related conditional use permit if it is required as a part of the subdivision process).

Vesting Tentative Tract Map 2743 and Conditional Use Permit is a request by Woodruff Investment Corporation for Vesting Tentative Tract Map 2743 and Conditional Use Permit to subdivide an existing 24,975 square foot parcel into seven residential parcels ranging from 1,505 square feet to 2,396 square feet each and one open space parcel at 14,996 square feet for the purpose of sale and/or development. The project will result in the disturbance of the entire 24,975 square foot parcel. The division will require extending 9<sup>th</sup> Street and James Street through the property. This vesting tentative map is not yet ready to record. Additional time is necessary to comply with the conditions of approval. Time extensions for vesting tentative maps are discretionary; however, they have historically been processed as an administrative action and placed on the consent agenda for notification purposes for both the Planning Commission and the public.

## DISCUSSION

### The Subdivision Map Act & Real Property Division Ordinance

The Subdivision Map Act provides that a conditionally approved vesting tentative map shall expire twenty-four (24) months after its conditional approval. The original expiration date was February 23, 2008. The Planning Commission approved a first one year time extension request on November 29, 2007 and the new expiration date was February 23, 2009. With recent amendments, the Subdivision Map Act now allows up to six (6) one year discretionary time extensions (without legislative time extensions). The applicant must request each of the *discretionary* time extensions. This request is the applicant's **second discretionary one year time extension request**.

The Subdivision Map Act was amended in 2008, 2009, 2011 and 2013 to provide tentative maps with "automatic, state-mandated" extensions that are above and beyond the six (6) one year time extensions as follows:

Senate Bill 1185 (California Government Code Section 66452.21) – If a tentative map was approved before and not expired on July 15, 2008 and will expire between July 15, 2008 and January 1, 2011 – extends the tentative map twelve (12) months. The Vesting Tentative Tract Map 2743 and Conditional Use Permit were extended to February 23, 2010.

Assembly Bill 333 (California Government Code Section 66452.22) – If a tentative map was approved before and not expired on July 15, 2009 and will expire between July 15, 2009 and January 1, 2012 – extends the tentative map twenty four (24) months. Vesting Tentative Tract Map 2743 and Conditional Use Permit were extended to February 23, 2012.

Assembly Bill 208 (California Government Code Section 66452.23) – If a tentative map was approved before and not expired on July 15, 2011 and will expire between July 15, 2011 and

January 1, 2014 – extends the tentative map twenty four (24) months. Vesting Tentative Tract Map 2743 and Conditional Use Permit were extended to February 23, 2014.

Assembly Bill 116 (California Government Code Section 66452.24(a)) – If a tentative map was approved after January 1, 2000 and not expired on July 11, 2013 it extends the tentative map twenty four (24) months. Vesting Tentative Tract Map 2743 and Conditional Use Permit were extended to February 23, 2016.

### **Staff Determination and Recommendation**

This time extension request has been reviewed by staff. It complies with The Subdivision Map Act and Section 21.06.010 of the Real Property Division Ordinance, and remains in compliance with the General Plan and County ordinances.

After review of the vesting tentative map, staff recommends to the Planning Commission that the **second one year time extension** be granted to February 23, 2017 subject to the conditions of approval set by the Planning Commission on February 23, 2006 in accordance with Resolution No. 2006-009 and Resolution No. 2006-010.

### **ATTACHMENTS**

Attachment 1 - Project Graphics

Attachment 2 – Planning Commission Resolution No. 2006-009

Attachment 3 - Planning Commission Resolution No. 2006-010

Staff report prepared by Jo Manson and reviewed by Terry Wahler, Senior Planner